## COMBINED DECLARATION AND POWER OF ATTORNEY (FOR PATENT APPLICATION)

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below, next to my name.

| I believe that I am an original, first and joint inventor of the subject matter that is claimed, and for which patent is sought on the invention entitled:     |  |  |                           |                          |  |  |
|--|--|--|---------------------------|--------------------------|--|--|
| USE OF FLUORESCENT MOLECULAR BEACONS IN THE DETECTION OF METHYLATED NUCLEIC ACIDS  |  |  |                           |                          |  |  |
|  | is attached hereto.  was filed on <u>July 31, 2001</u> a cation Serial No.: <u>09/920,000</u> vas amended on, if appl  |  |                           |                          |  |  |
| I hereby state that I including the claims, as   | have reviewed and understar<br>s amended by any amendment  | nd the contents of the above-ide referred to above.  | ntified spe               | cification,              |  |  |
| I do now know and opublication in any coapplication.   | do not believe that the investigation of the invest | ntion was ever patented or descr<br>rention thereof or more than one   | ribed in ar<br>e year pri | ny printed<br>or to this |  |  |
| I do not know and do not believe that the invention was in public use or on sale in the United States of America more than one year prior to this application. |  |  |                           |                          |  |  |
| I acknowledge the duty accordance with Title 3   | to disclose information, whi 7 CFR § 1.56(a).  | ch is material to the patentability of   | of this appl              | lication in              |  |  |
| inventor's certificate li  | sted below and have also ic  | S.C. § 119 of any foreign applica<br>lentified below any foreign appli<br>of the application on which priority | cation for                | patent or                |  |  |
| Prior Foreign Application(s)   |  | Date Filed   | Priority (                | Claimed                  |  |  |
| PP8448<br>Number   | Australia Country  | 1 February 1999  | _ [X]<br>Yes              | []<br>No                 |  |  |
| Number   | Country  |  | _ [ ]<br>Yes              | [ ]<br>No                |  |  |

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

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Application Number

Filing Date

1.

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

|    | Application Number | Filing Date     | Status - patented, pending, abandoned |
|----|--------------------|-----------------|---------------------------------------|
| 1. | PCT/AU00/00053     | 1 February 2000 | pending                               |

## POWER OF ATTORNEY

I hereby appoint the following practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

| APPOINTED PRACTITIONER(S) | REGISTRATION NUMBER(S) |  |
|---------------------------|------------------------|--|
| Kathleen M. Williams      | 34,380                 |  |
| Richard B. Smith          | 34,020                 |  |
| Paula Campbell Evans      | 32,503                 |  |
| John M. Garvey            | 37,833                 |  |
| Mark J. FitzGerald        | 45,928                 |  |
| Dianne Rees               | 45,281                 |  |
| Elizabeth Neuman Spar     | 45,123                 |  |
|                           |                        |  |

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

First Named Inventor:

Inventor's Signature Name: Peter H. Kay

Date: × 26 hr Sept 2001

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